



Town of Merrimack, New Hampshire

Community Development Department

6 Baboosic Lake Road

Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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RESULTS OF MERRIMACK ZONING BOARD OF ADJUSTMENT WEDNESDAY, January 29, 2020

Board members present: Richard Conescu, Kathleen Stroud, Patrick Dwyer, Lynn Christensen, Rod Buckley, and Alternates Leonard Worster and Ben Niles

Board members absent: Alternate Drew Duffy

Staff present: Assistant Planner Casey Wolfe

1. Call to Order

Richard Conescu called the meeting to order at 7:00 p.m.

2. Roll Call

Richard Conescu led the pledge of allegiance and swore in members of the public who would be testifying. Patrick Dwyer read the preamble.

- 3. Streif, LLC (petitioner/owner)** – Variance under Section 3.02, Note 6 of the Zoning Ordinance to permit the construction of a 3,000 sq. ft. building 20 feet from Daniel Webster Highway whereas 50 feet is required. The parcel is located at 406 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation and Elderly Housing Overlay Districts. Tax Map 5D-4, Lot 099. Case # 2019-39. **This item is continued from the November 20, and December 18, 2019 meetings.**

At the petitioner's request, the Board voted 4-1-0 to continue this item to February 26, 2020, at 7:00 p.m., in the Matthew Thornton Meeting Room, on a motion made by Lynn Christensen and seconded by Kathleen Stroud. Richard Conescu voted in opposition.

- 4. Streif, LLC (petitioner/owner)** – Variance under Section 3.02 of the Zoning Ordinance to permit the construction of a retaining wall 10.88 feet from the front property line whereas 30 feet is required. The parcel is located at 406 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation and Elderly Housing Overlay Districts. Tax Map 5D-4, Lot 099. Case # 2019-40. **This item is continued from the November 20, and December 18, 2019 meetings.**

At the petitioner's request, the Board voted 4-1-0 to continue this item to February 26, 2020, at 7:00 p.m., in the Matthew Thornton Meeting Room, on a motion made by Rod Buckley and seconded by Lynn Christensen. Richard Conescu voted in opposition.

- 5. Streif, LLC (petitioner/owner)** – Special Exception under Section 2.02.3 (C) (1) of the Zoning Ordinance to allow for a residential use in the C-2 (General Commercial) District. The parcel is

located at 406 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation and Elderly Housing Overlay Districts. Tax Map 5D-4, Lot 099. Case # 2019-41. **This item is continued from the November 20, and December 18, 2019 meetings.**

At the petitioner's request, the Board voted 3-2-0 to continue this item to February 26, 2020, at 7:00 p.m., in the Matthew Thornton Meeting Room, on a motion made by Kathleen Stroud and seconded by Rod Buckley. Richard Conescu and Patrick Dwyer voted in opposition.

- 6. Linda Raymond (petitioner/owner)** – Variance under Section 3.02 of the Zoning Ordinance to permit a two-lot subdivision with one lot having 59.33 feet of frontage whereas 250 feet is required. The parcel is located at 107 Turkey Hill Road in the R-1 (Residential, by soils), and Aquifer Conservation Districts. Tax Map 4C, Lot 229. Case # 2020-02.

Petitioner was represented by: Greg Michael & Brett Allard, Bernstein, Shur, Sawyer & Nelson, P.A.

Public comment was received from: Debbra & Bob Uttero, 5 Acacia Street; Kevin & Jackie Mulhern, 103 Turkey Hill Road; and Becky Dupont, 101 Turkey Hill Road.

The Board voted 4-0-1 to grant the variance, with conditions, on a motion made by Lynn Christensen and seconded by Kathleen Stroud. Patrick Dwyer abstained.

- 7. Discussion/possible action regarding other items of concern**

Discussion only.

- 8. Approval of Minutes – December 18, 2019**

The minutes of December 18, 2019 were approved as submitted, by a vote of 4-0-1, on a motion made by Lynn Christensen and seconded by Patrick Dwyer. Rod Buckley abstained.

- 9. Adjourn**

The meeting was adjourned at 8:27 p.m. by a vote of 5-0-0, on a motion made by Patrick Dwyer and seconded by Rod Buckley.